

Water Sector Program Frequently Asked Questions

1. Will this presentation be available online?
It has been posted to the OCD – LGA’s YouTube channel at <https://www.youtube.com/watch?v=-KuufUI8VMg&t=156s>
2. If an engineer is already under contract and being paid by local funds, can this project be considered for construction only? The engineering contract does not meet federal procurement.
Yes, a construction only project is eligible. If local funds are being used, federal procurement procedures would not have to be followed.
3. Can local governments use their ARPA Fiscal Recovery Funds to fund the 25% match?
Yes
4. Are private water and sewer systems eligible for the program?
Yes, a water system is eligible if the water system provides potable water through pipes or other constructed conveyances, if such system has at least 15 connections or regularly serves an average of 25 individuals daily at least 60 days out of the year (LAC 5I:XII). A sewer system is eligible if the system serves multiple connections and consists of a collection and/or pumping/transport system and treatment facility (LAC 5I:XIII).
5. Can a town submit more than one project, one for water and one for sewer?
Yes, an entity that owns and operates both a sewer and water system can submit both a sewer and water application.
6. Can a user be a Submitter and a Creator?
Yes. But every system must have at least one user with submit access.
7. Can I use the Username and password that I have for LWI?
No. After submitting a Request for User Access form to traci.watts@la.gov, an email with an assigned user ID will be sent to you.
8. How does receipt of application affect determination of award? Does submitting the application earlier than the deadline give a greater chance of award?
No. Applications submitted in the open application period prior to the deadline will all be reviewed, scored and given the same consideration.
9. If we have technical issues with the online submission portal, who do we contact?
Email Traci Watts at traci.watts@la.gov.
10. Will OCD provide technical assistance to communities to meet federal guidelines with respect to securing an engineer or architect as they do in the LCDBG program?
Yes, OCD – LGA will provide technical assistance for procurement if the applicant intends to use the WSP funds for payment of these services.

11. Do engineers need to submit a separate user access form to assist the municipality in their application?

Yes

12. Are there deadlines for applications and/or specified timelines for usage of funds?

The portal will be open for application submission from August 1, 2021 to September 24, 2021. Funds must be expended by December 31, 2026

13. Can DEQ SRF funds be utilized as matching funds for the Water Sector Program?

SRF funds may be used as match, however, that will cause all SRF requirements, such as Davis-Bacon, NEPA, and American Iron and Steel, to apply to the entire project and sources of funding.

14. How do we get a user ID form?

User ID forms can be found on the OCD-LGA website at

<https://www.doa.la.gov/doa/ocd-lga/american-rescue-plan-act/>

15. If an entity wants to borrow the local match from DWRLF or CWSRF, then those requirements would be triggered?

Yes

16. Where do I find the DEQ Agency Interest Number? I have my PWS ID.

It's included on all correspondence and permit documents from DEQ. You can also search EDMS: edms.deq.louisiana.gov

17. If a project has already been put out for bids, can the city still apply to use ARP funds for the project?

Refer to Question 45.

18. Can we make a second request strictly for the water system, after we received the NEU funds?

An entity can receive funds under the ARP NEU program and still apply for the Water Sector Program.

19. Can funding sources from other agencies be utilized as matching funds (i.e. Corps 219 money, DEQ SRF, etc.)?

Other fund types can be used, but the requirements of the other program will be triggered for the entire project.

20. Does the fund cap apply to each type of application? \$5 million for water and \$5 million for sewer?

Yes

21. Regarding those projects in HB 2 that will be imported into the portal by OFPC, will the entities be notified? Is this list of projects available anywhere? Will all funds including P5 be included in the request?

Entities with projects with projects in HB2 will be notified, but a list of these projects hasn't been published at this time. Yes, the entire appropriation including P5, will be included.

22. Is there a preferred source of demographic information in the application? 2010 Census data. American fact finder, etc.?

You can find the median income and population growth information at www.census.gov. You can find the unemployment data at the www.bls.gov.

23. Our parish has two water districts with two LDH numbers that are managed by the parish administration, are two applications required?

Yes

24. Is American Iron and Steel applicable?

No

25. If ARP funds are used for the 25% local match, do procurement guidelines related to engineering/architect contracts apply for those funds?

Yes. Federal procurement requirements regarding procurement have not been waived for ARP funds. Federal procurement regulations can be located in 2 CFR 200.318-326

26. Is use of ARP funds as the local match prioritized as appears to be the case in the Act 410?

No

27. What is the timeline for the decision being made?

Working panel ratings will be provided to the Water Sector Commission by November 8, 2021. The Water Sector Commission will review ratings and provide funding recommendations to the Joint Legislative Committee on Budget. A timeline can be found in the guidelines at <https://www.doa.la.gov/media/hrmjzrw/wsp-approved-guidelines.pdf>

28. Are separate applications required to be submitted for each project, or is one application submitted by each PWS inclusive of all projects where funding is requested?

Each entity may submit one application for water and/or one application for sewer. If a water system has a need for multiple projects, then the system should submit one application that includes all needed improvements.

29. If a project has some preliminary investigation performed, does that count towards total project cost and local match?

Yes, subject to documentation.

30. Can a project be applied for that affects multiple PWSIDs? If so, what PWISD should be listed in the application?

There should be an applications completed per PWSID unless it is a consolidation project.

31. Does the consultant sign the document that sets up the user account and put their SSN in the document in the middle part or the bottom part?

If a consultant is submitting a user access form, then the consultant would complete the form with the system information, the consultant's information for

the user, and the system CEO must sign the form to give approval for the consultant to have access to the system application. A form must be completed for each system that a firm is chosen to work with on a WSP application. The last 4 SSN is used for security purposes for the issuance of the user id. This information will be necessary for the user to set up a password.

32. For the increased local cost share, are those points prorated based on the amount of the increase local share? If a system agrees to 26%, will they receive 3 additional points the same as paying 30%?

Yes

33. If a municipality has multiple water or sewer systems, does the grant funding cap apply to the municipality or to the individual water and sewer systems?

The grant funding cap applies per system.

34. If a system has multiple projects, does the \$5 million cap apply to the total construction cost of the projects or the grant request of the projects?

The \$5 million cap applies to the total of the grant request for the projects.

35. Are funds the municipality expends on consultants preparing applications with local funds acceptable to use a local match?

Yes

36. Is this program only for utilities that sell water/waste water?

Yes

37. The form does not list drainage under system category. How do you specify drainage projects?

Applications for drainage projects will be considered in the second round.

38. If our community has a water/Sewer district, then should the district be the applicant or does Parish Gov't have to be the application?

If the water/sewer district is independently governed and can take on debt as a separate entity, then the water/sewer district should be the applicant.

39. If submitting a grant request for both water and sewer, will the grant cap be for \$5 million total per applicant or \$5 million per project?

If an entity owns and operates both a water and a sewer system, then the entity is eligible to apply for up to \$5 million for a water project and up to \$5 million for a sewer project.

40. If an engineering firm writes the application, can they bid on the project if awarded?

The source of funding to pay for the engineering services determines which procurement guidelines must be followed. If the entity is using local funds to pay for these services, then the entity must follow their procurement policy. If the entity is using ARP funds to pay for these services, then the entity must follow federal procurement guidelines that can be found at 2 CFR 200.318-326.

41. Does a system need both a PWS ID# and a DUNS# to submit the application?
Yes, if an entity owns and operates both systems, then both numbers are required.
42. How will rate study impact the program decision?
Rate studies will be completed after awards are made. Recommendations from the rate study would have to be followed in order for funds to be released.
43. Are the HB2 projects included in the system's \$5 million cap?
Yes

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44. Based on the webinar and the materials posted, it looks like this will be a relatively simple program. Is there a need for an administrative consultant for this program? If so, what is the pay scale? Also, if the grantee pays for the fees out of local funds, does it count toward their match percentage?

The WSP does appear much simpler than CDBG. Whether or not the system would want an administrative consultant is a local decision. Since the WSP is funded with ARPA monies, many federal guidelines, such as federal procurement and cost principles, apply to the use of the funds. These guidelines should be considered when hiring an administrative consultant to be paid for with ARPA funds. Any costs included in the total cost of the project, and identified on the detailed cost estimate that are not paid for with WSP or state grant funds, would be considered match funds and be included in the match percentage.

45. If a system is completing a project in phases and has already encumbered costs associated with Phase One but wants to apply for funds, for the remaining parts of the project, can Phase One costs be used as the system's match? When can a system start counting its match if planning activities were completed previously?

Costs for projects that may be in various stages of planning or implementation cannot be included in an application for the WSP if the following is true:

- The activities were paid for with state grant funds.
- The project has been put out for bid, has a contract awarded, or is under construction.

If a project is being completed in phases, then phases that have not been put out for bid, had a contract awarded, or is under construction can be included in a WSP application. If a system uses funds that are not state grant funds to pay for plan and design, studies, or previous phases of a project, then the costs for those activities can be counted toward the match requirement.

46. Does property acquisition have to comply with the Uniform Act?

Yes.

47. Can a wastewater project be leveraged against a water project and vice versa with previous state funds?

No, these are two separate systems.

48. Is a preliminary engineering report necessary if a project design is complete with final plans and specifications (i.e. shovel ready)?

No.

49. If a municipality submits both a sewer and a water application, are they likely to receive funding for one project and not the other? If multiple applications are submitted, do they need to be prioritized by the municipality for preference of receipt of funding?

Each application will be reviewed on its own merit. A system should include any information that it feels should be considered by the working panel and the Water Sector Commission.

50. Can DEQ or LDH state revolving funds be leveraged as matching funds for the WSP?

If a system has already closed on a SRF loan and has an executed loan agreement in place. It is important to note that using SRF money for a match will require the entire project to meet SRF requirements such as Davis Bacon, American Iron and Steel, NEPA, etc.

51. Are customer work orders and/or overflow reports sufficient for identification of need for a project? Are there other items that LDH or DEQ would prefer to see for identification of need?

Systems should include any pertinent documentation to support the need for the project.

52. For the resiliency criteria, what sewer document would be equivalent to the resilience assessment for water projects? Or is this even required for wastewater projects? Is not required, will points still be distributed at the maximum or the minimum of the resiliency section?

A wastewater system should develop a resiliency plan that includes local standards or guidelines to increase the resilience of the system. The plans should include extreme weather events and the effect of water and wind damage to critical infrastructure as well as what must be done during and after the extreme weather event to maintain operating capabilities of critical infrastructure. Items identified in the risk assessment/resiliency plan must be included in the cost estimate to increase resilience.

53. If a municipality receives a direct allocation from US Treasury as a metropolitan city from the ARPA Local Fiscal Recovery Funds, are they eligible to apply for the WSP?

Yes.

54. Will applications be accepted without a cost estimate signed and stamped by an engineer licensed in the State of Louisiana?

No.

55. Does HB2 funds allocated or expended for the project count toward the match requirement?

No.

56. When consolidating projects for the same system into one application, do the projects have to have a shared connection (i.e. wastewater projects along the same route) or can the projects be a variety of stand-alone projects in separate areas of the parish?

Each system may submit only one application. All improvements for the system should be included in the application.

57. The Parish is interested in purchasing generators that will service our wastewater lift stations and we will install the generators using in-house labor. Can the budget include only the cost of the generator, or will we have to include labor costs as well? Does this cost need to be included in the budget prepared by the engineer?

The cost estimate should identify all project costs. Any projects costs being paid for with local funds may be counted toward the match requirement.

58. If the Parish has already participated in a rate study, is a new one conducted by the third party contractor still required? Who is paying the cost of the rate study?

Yes, all grantees will be required to participate in the rate study being conducted by the third party contractor in order to get funds released and approval to bid the approved project. The cost of the rate study will be paid by the DOA with ARPA funds.

59. If a system has a project that is moved from HB2 into the Water Sector Program, does this preclude the system from submitting an additional application? What if a system has multiple projects in HB2?

Additional information will be required from the system for HB2 projects imported into the WSP online portal. The system can amend the project scope and cost estimate at that time. If a system has multiple projects in HB2, all of the system projects will be combined into one request in the portal.

60. Can WSP funds pay off long-term debt, such as USDA loans?

No, US Treasury guidance prohibits ARPA funds being used to pay for previously incurred debt.

61. Is the project total \$5 million max (including the system match) or is the grant max \$5 million plus the system match for an overall project total exceeding \$5 million?

The grant cap is \$5 million. The total project costs may exceed the \$5 million. The source of funds to be used to pay for the costs that exceed the grant cap should be identified on the cost estimate.

62. If a water system does not have a PWS ID, can the system apply to the WSP?

No. All existing water systems in the state have PWS IDs. No new systems are eligible.

63. What documentation is required for the match funds?

Written documentation of the match is required in the application. This documentation should note the amount, source, and use of the match funds. Please note that further documentation from the system's governing authority will be required, if funded, prior to OCD-LGA releasing the WSP funds.

64. If a system is consolidating with another system and there is a purchase cost for the system being absorbed, is that purchase cost eligible?

Acquisition is an eligible cost in the program. All acquisition must be in compliance with the Uniform Act.